\* BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY 206 Warren Road 8th Election District \* Case No. 92-153-A 3rd Councilmanic District

Margaret R. McMaster Petitioner

\* \* \* \* \* \* \* \* \* \* \*

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 402.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 17 ft. in lieu of the required 20 ft., and a minimum lot width of 70 ft. in lieu of the required 90 ft., as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section

1. My property at 206 Warren Road consists of a house which has been converted to two apartments plus basement and a detached two-car garage, each having separate entrances. The property lacks three feet on the west side in order to comply with the DR 3.5 zoning which permits two-family occupancy. The property satisfies all other requirements for the DR 3.5 zoning.

2. As a retiree with a fixed income, I can no longer maintain the property as it should be, nor can I afford to pay for its maintenance. Therefore, I expect to sell the property and purchase a smaller home with fewer maintenance problems.

3. The County plans to widen Warren Road and, in doing so, will eventually acquire a part of my land. Diminishing my square footage may make it impossible to meet the current zoning requirements and will certainly make it more difficult to sell. I feel that I must sell my property as soon as possible in order to purchase a suitable new home.

307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25 day of 2000. 1991 that the Petition for a Zoning Variance from Section 402.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 17 ft. in lieu of the required 20 ft., and a minimum lot width of 70 ft. in lieu of the required 90 ft., in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original

> > LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

is/mas competent to testify thereto in the event that a public hearing is acheduled in the future with regard thereto.

206 Warren Road, Cockeysville, Maryland 21030

AFFIANT (Printed Name)

Motary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or setisfactorily identified to me as such Affiant(s), and made of his/her/their knowledge and belief.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887 3353

November 21, 1991

Ms. Margaret R. McMaster 206 Warren Road Cockeysville, Maryland 21030

> RE: Petition for Residential Zoning Variance Case No. 92-153-A

Dear Ms. McMaster:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Very truly yours, Lawrence E. Schmidt Zoning Commissioner

cc: Peoples Counsel

That the information berein given is within the personal knowledge of the Affiant(S) and Affiant(S)

That the Affiant(S) does/do presently or upon settlement will reside at \_\_\_\_\_

That based upon personal knowledge, the following are the facts upon which I/we have the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty)	
See attached.	

That Affiant(st) acknowledge(s) that if protest is filed, Affiant(st) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Managaret R. McMaster AFFINT Handeritten Signature) Margaret R. McMaster

AFFINET (Printed Name)

margaret. of memuster

outh in due form of law that the matters and facts bereinshove set forth are true and correct to the best

AS WITHESS my hand and Notarial Seal.

BEING KNOWN AND DESIGNATED as Lots Nos. 8 and 9, and the westernmost 20 feet of Lot No. 7, in Block B, as shown on the Plat of Glenmoore, which Plat is recorded among the Land Records of Paltimore County in Plat Book W.P.C. No. 7, folio 88.

THE IMPROVEMENTS thereon being known as No. 206 Warren Road. Lots Nos. 8 and 9 being the same property which by Deed dated June 30, 1936, and recorded among the Land Records of Baltimore County in Liber C.W.B., Jr. No. 979, folio 59, was granted and conveyed by John F. Roberts and Ada Roberts, his wife, to Elwood V. Lyon and Lily H. Lyon, his wife.

The westernmost 20 feet of Lot No. 7, being part of the property which by Deed dated April 17, 1943, and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1284, folio 292, was granted and conveyed by Gilbert Marshall Stover and Laura Helen Stover, his wife, to Elwood V. Lyon and Lily H. Lyon, his wife; the said Lily H. Lyon having heretofore departed this life on or about the 1st day of March, 1979; the said Elwood Vernon Lyon having heretofore departed this life on or about the 17th day of January, 1981, testate, and by his Last Will and Testament, dated April 11, 1980, appointed Elwood V. Lyon, Jr., Richard A. Lyon and Doris M. McLain Personal Representatives of his Estate. See Wills Liber P.J.B. No. 187, folio 459; Estate Docket No. 48, folio 87, Case No. 47647; the said Elwood Vernon Lyon also being known as Elword V. Lyon.

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 92-153-A The undersigned, legal owner(s) of the property eituate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section \_\_\_\_

to permit a side yard setback of 17 feet 400.1 and minimum let width of 70 feet in lieu of the required 20 feet and 90 feet respectivelu.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason:

See attached.

Contract Purchaser:

City/State/Zip Code

Attorney for Petitioner

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

> I/We do solemnly declare and affirm, under the perialties of perjury, that I/we are the legal owner(s) of the property which is the subject of

this Petition. Legal Owner(s):

(Type or Print Ness)

Cockeysville, Maryland 21030

Name, address and phone number of legal owner, contract purchaser or representative to be contacted. Same as above

ttorney's telephone number ORDERED by the Zoning Commissioner of Baltimore County, this petition be posted on the property on or before the \_\_\_\_\_ day of

> ZONING COPPLISSIONER OF BALTIPLAE COUNTY

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ dey of \_\_\_\_\_, 19\_\_\_\_, that the subject metter of this petition be edvertised, as required by the Zoning Law of Saltimore County, in two newspepers of general circulation through-County, that the property be reposted, and that the public hearing be had before the Zaning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Beltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_ o'clock,

ZONING COPPLESSIONER OF SALTIPEINE COUNTY

Location of property: 13 38 mm in Ale 12 10/11 was 1910 20% Warrey Pa Location of Signer Sacray Morris P. april 15 17 16 164 64

Baltimore County
Zoning Commissioner County Office Building 111 West Chesapcake Avenue Towson, Maryland 21204

Account: R-001-6150

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Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

october 10, 1991

HT West Chesapeake Avenue Towson, MD 2420+

106 Warren Road

to keysville, MD 21030

n, MID 24204 .argaret R. McMaster

Re: CASE NUMBER: 92-153-A
LOCATION: 92-153-A
N/S Warren Road, 150' W of Wilmar Place
206 Warren Road
8th Election District - 3rd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

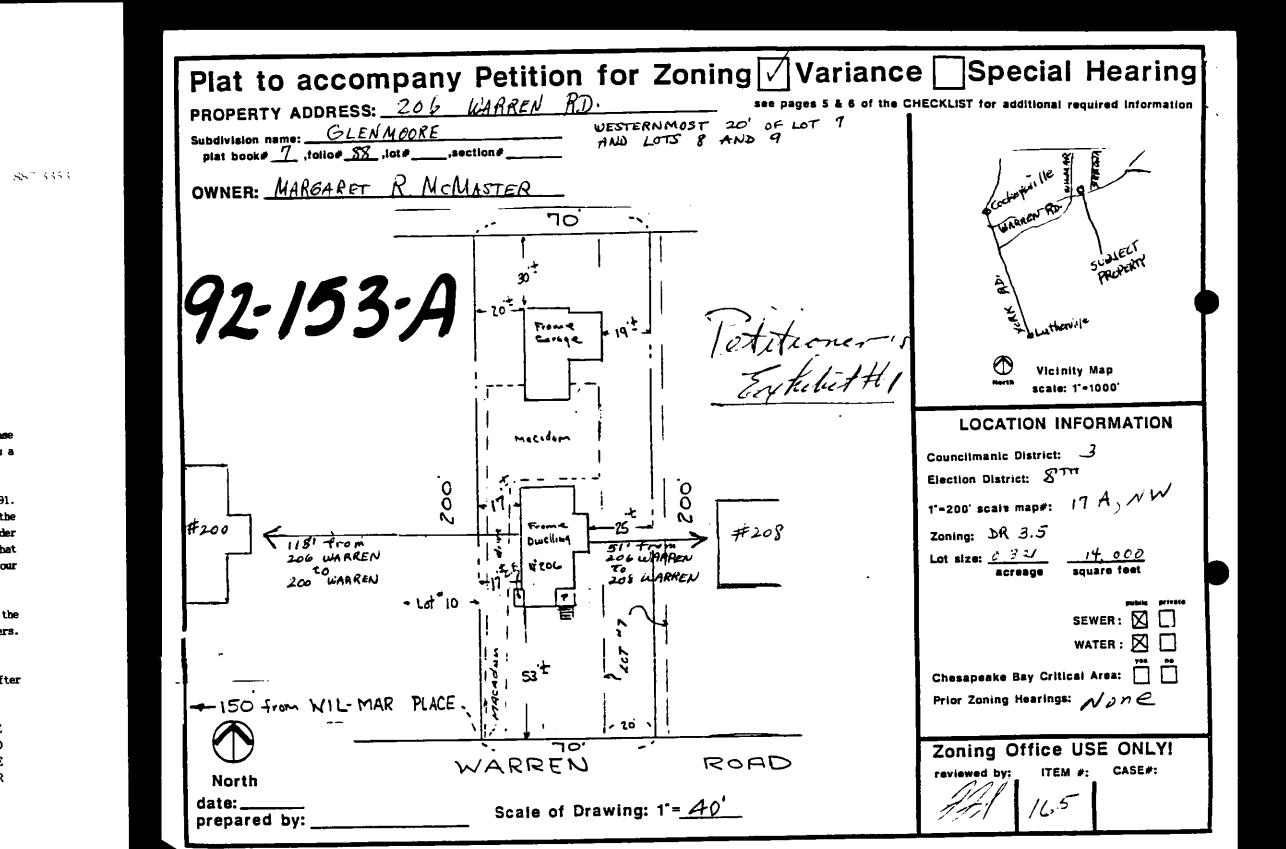
1) Your property will be posted on or before October 20, 1991. The closing date is November 4, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Lawrence E. Schmidt
ning Commissioner, Baltimore County



CASE NUMBER 92-153-A

PETITIONER'S EXHIBIT#

MAY 8. 189

BALTIAICRE CECATY ZERING CCATALISSICALR JEUSER, AID. 21204

DEAK PIR:

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MEDIANTER, DOC GARREN RD. IS REGLESTING

-) DENING VARIANCE TO CERTIFY PIER

PROPERTY AS A THE FAMILY DUELLING,

THIS IS TO ADVISE THE ZUNING COMMISSION THAT WE HAVE NO CBJECTICK TO THE VARIANCE

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CHNERS, 208 G-INREA RD.

PUNER, 200 WARRIN RD.

THIS IS TO ADVISE THE ZENING

I INDERSIAND THAT HAREARET

MCMASTER, 200 GARREN RD, IS RECLESTING

-1 ZCNING LARIANCE TO CERTIFY HER

PROPERTY AS A THO- FAMILY DRELLING.

CONIMISSION THAT I HAVE NO CBSECTION

92-153-A

PETITIONER'S EXHIBIT#



Looking E to W in rear yard.



In rear yard looking West.

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PETITIONER'S EXHIBIT#



In rear yard looking West.



In rear yard looking East.

92-153-A

PETITIONER'S EXHIBIT#



Inside yard at house looking East.



At front steps looking East.

92-153-A

11.14 18, 1991

PETITIONER'S EXHIBIT#

PETITIONER'S EXHIBIT#

BILTILLERE COCKES

TO THE VARIANCE.

Dink Sip.

TOUSEN, MD 21264



In rear yard on parking pad looking East.



In front yard looking West.

